

Archaeological Protocol

Rev 4 June 2022

Previously referred to as the **Riverview Lands Archaeological Process Flow (2016)**

INTRODUCTION

Kwikwetlem First Nation (KFN) have a long history living on the banks of the Coquitlam River and claim səmiqʷəʔelə as part of their core traditional territory.

səmiqʷəʔelə contains known archaeological sites and much of the property holds high potential for undocumented sites. Archaeological sites in British Columbia are protected under the [Heritage Conservation Act](#) (HCA). Alterations to archaeological sites may proceed under appropriate *Heritage Conservation Act* permits held by professional archaeologists under appropriate assessment guidelines and work plans. The *Heritage Conservation Act* prohibits the alteration or disturbance of archaeological sites in whole or in part, on public and private land, whether impacts are intentional or inadvertent and irrespective of previous disturbance.

Kwikwetlem First Nation (KFN) holds and administers the *Kwikwetlem First Nation Heritage Policy* (KFNHP). The *Heritage Conservation Act* requires for archaeological permits and work plans to be applied for and created by professional archaeologists. The KFNHP stipulates the right of the Nation to approve heritage professionals working in the territory.

Both the *Heritage Conservation Act* and the *Kwikwetlem First Nation Heritage Policy* (KFNHP) apply to səmiqʷəʔelə. The current KFNHP has identified Brown & Oakes Archaeology as the Nation’s preferred archeologist for works within KFN traditional territory and sole archaeologist for səmiqʷəʔelə. Brown and Oakes Archaeology hold an HCA Section 12.2 Heritage Inspection Permit in relation to səmiqʷəʔelə and are solely authorized to conduct archaeological impact assessments and inspections in relation to ground altering works on-site.

BC Housing has implemented this **səmiqʷəʔelə Archaeological Protocol** to ensure that all users, visitors and contractors on səmiqʷəʔelə are aware of the requirements set out by the *Heritage Conservation Act* and the *Kwikwetlem First Nation Heritage Policy* (KFNHP) as they relate to ground disturbances on səmiqʷəʔelə.

Table of Contents

Table of Contents	1
1. definitions	2
2. responsibility of USERS AND VISITORS.....	3
3. PROHIBITION	3
4. PROCESS FOR ENGAGING IN GROUND DISTURBING WORKS	4
Step 1: Identify Proposed Ground Disturbing Works.....	4
Step 2: Submit Proposed Ground Disturbing Works to Archaeologist.....	5
Step 3: Archaeologist Review to Permit Requirements.....	5
Step 4: Additional Requirements	6

Appendix A Archaeological Protocol Application Process.....	8
Appendix B Archaeological Protocol Process Flow.....	9
Appendix C səmiqʷəʔelə Archaeological Checklist.....	10
Appendix D səmiqʷəʔelə Incident Report Form.....	11

Reference Documents

These documents and any amendments or updates thereto issued from time to time will serve as references to this səmiqʷəʔelə Archaeology Protocol:

- [Heritage Conservation Act](#) (HCA) (1996, RSBC, Chap. 187)
- Kwikwetlem First Nation Heritage Policy (KFNHP)

1. DEFINITIONS

- **“ARCHAEOLOGICAL IMPACT ASSESSMENT”** means a study conducted by a professional archaeologist that assesses the archaeological significance of a land or property
- **“ARCHAEOLOGY BRANCH”** means the Province of British Columbia’s administrative body that is responsible for maintaining and distributing archaeological information and issuing of archaeological permits as required by the Heritage Conservation Act.
- **“COMMON AREA”** means any area outside an identified activity, lease or project boundary, but within the property line of səmiqʷəʔelə, under the custody of BC Housing, and under title by the Provincial Rental Housing Corporation.
- **“GROUND DISTURBING WORK”** means any work, operation or activity that results in the disturbance of earth at any depth, including but not limited to uprooting of plants, soil removal, excavation, digging in topsoil, drilling, bore hole testing, post installation, etc.
- **“INFRASTRUCTURE PROJECTS”** means repair and maintenance projects requiring minor excavations as well as larger scale facilities projects involving trenching up to 200 linear metres and areal excavations up to 1,000 square metres.
- **“KFN HERITAGE CERTIFICATION PROGRAM”** means the program administered by Kwikwetlem First Nation with the purpose of providing education regarding:
 - the cultural history and aspirations of KFN as it applies to KFN territory and most specifically səmiqʷəʔelə;
 - the expectations and requirements of the KFNHP;
 - the expectations, requirements, enforcement and penalties provided in accordance with the HCA; and

- archaeological practices and codes of conduct required when using archaeologically sensitive sites.
- **“MAJOR PROJECTS”** means new building construction, building demolition or infrastructure projects requiring trench excavations greater than 2,000 lineal metres or areal excavations exceeding 1,000 square metres.
- **“səmiqʷəʔelə”** means all of the property legally described as:
 - Civic Address: 2601 Lougheed Highway, Coquitlam, BC V3C 4J2
 - Legal Description: Lot 1, District Lot 470 & 305, Group 1, NWD Plan LMP22802
PID: 023-052-716
- **“SMALL-SCALE PROJECTS”** means projects involving minor ground disturbing works for staging movie sets, signage, lighting, landscaping, gardening, fence installations and other similar small-scale land altering works up to 200 lineal metres trenching and up to 1,000 square metres areal excavation.
- **“USER”** means any person, company or corporation, group, tenant, licensee, developer, contractor or similar entity that is active or is using any portion of səmiqʷəʔelə.
- **“VISITOR”** means any person, company or corporation, group, tenant, licensee, developer, contractor or similar entity that is active or is using any portion of səmiqʷəʔelə.

2. RESPONSIBILITY OF USERS AND VISITORS

Users and Visitors of səmiqʷəʔelə are required to abide by the səmiqʷəʔelə Archaeological Protocol.

Users and Visitors of səmiqʷəʔelə are required to enlist and pass the KFN Heritage Certification Program.

3. PROHIBITION

BC Housing reserves the right to terminate any formal agreement Users or Visitors to səmiqʷəʔelə have with BC Housing/PRHC should the səmiqʷəʔelə Archaeological Protocol not be followed. Further, should any User or Visitor, corporate entity or individual, be found in breach or violation of this səmiqʷəʔelə Archaeological Protocol, BC Housing/PRHC reserves the right to deny access to səmiqʷəʔelə to the subject User or Visitor for as long as BC Housing/PRHC deems applicable.

Infractions under the səmiqʷəʔelə Archaeological Protocol must be **immediately reported** using the Incident Report Form contained in Appendix D and will be reviewed by KFN in relation to the Kwikwetlem First Nation Heritage Policy and may result in additional actions and/or restorative justice directly with the Nation. BC Housing/PRHC will work in coordination with KFN to implement any outcomes of KFN's infraction review.

4. PROCESS FOR ENGAGING IN GROUND DISTURBING WORKS

Users and Visitors of səmiqʷəʔelə must complete the Archaeological Checklist contained in Appendix C upon contract signing for the proposed Ground Disturbing Works and enlist and pass the KFN Heritage Certification Program, at their own cost, **before proposing to conduct** any Ground Disturbing Works.

Step 1: Identify Proposed Ground Disturbing Works

Users and Visitors of səmiqʷəʔelə should identify in writing the proposed Ground Disturbing Works. At a minimum, the summary should include details relating to the;

- Location of Ground Disturbing Works proposed;
- Timing of Ground Disturbing Works proposed; this must include each occurrence of ground disturbance for the duration of the Ground Disturbing Works
- Nature of Ground Disturbing Works proposed;
- Quantity of Ground Disturbing Works proposed;
- Depth of Ground Disturbing Works proposed; and
- Purpose of Ground Disturbing Works proposed.

Note: The səmiqʷəʔelə Archaeological Protocol described herein applies to Infrastructure and Small-scale Projects on the Lands involving ground disturbances of less than 1,000 square metres and/or 200 linear metres of trenching.

Projects that exceed the Small-scale and/or Infrastructure Projects scope, such as new building construction, building demolition and/or projects over 2,000 linear meters in area are considered Major Projects and will require a standalone permit. This standalone permit will be acquired from the Archaeology Branch by the professional archaeologist identified within the *Kwikwetlem First Nation Heritage Policy* (Brown & Oakes Archaeology) on behalf of the User or Visitor. At time of writing, **standalone permits take a minimum of 3-months to acquire** from the Archaeology Branch. Users and or Visitors proposing Ground Disturbing Works that require a standalone permit must meet with Brown & Oakes Archaeology as early as possible.

Should Proposed Ground Disturbing Works for Infrastructure and Small-scale Projects exceed 200 linear metres but are less than 2,000 lineal metres and/or are greater than 1,000 areal metres, these Works may be allowed as a variance. The User or Visitor will follow the Protocol outlined herein and acknowledges that this variance may be approved by the Archaeology Branch subject to First Nation review or may be

declined. If the variance is declined, the User or Visitor may need to acquire a standalone permit from the Archaeology Branch.

Step 2: Submit Proposed Ground Disturbing Works to Archaeologist

Users and Visitors of səmiqʷəʔelə should submit proposed Ground Disturbing Works to the professional archaeologist identified within the *Kwkwetlem First Nation Heritage Policy* (Brown & Oakes Archaeology) **as early as possible**, but no less than 40 days prior to archaeological activities which may include preconstruction assessment by the professional archaeologist prior to commencement of the subject activity. The archaeological permit holder, Brown & Oakes Archaeology, is required to provide a notice of intent of the proposed Ground Disturbing Works to all affected First Nations, other affected parties and the Archaeology Branch a minimum of 30 days prior to approval of the proposed Ground Disturbing Works.

Submissions can be made directly to Brown & Oakes Archaeology with a cc' copy to Users and Visitors' BC Housing contact (i.e.: Film & Special Events, Land Development, Operations);

to: info@brownoakesarch.com
cc: BC Housing contact for relevant business area (i.e.: Film & Special Events, Land Development, Operations)

Step 3: Archaeologist Review to Permit Requirements

The professional archaeologist identified within the *Kwkwetlem First Nation Heritage Policy* (Brown & Oakes Archaeology) will review the Ground Disturbing Works proposed to determine whether the Ground Disturbing Works can proceed under the existing HCA Section 12.2 Heritage Inspection Permit for səmiqʷəʔelə or whether additional HCA Permits are required.

Note: Most Ground Disturbing Works will require an Archaeological Impact Assessment (AIA) to be completed prior to the proposed activity.

An AIA will assess archaeological resources that may be within the location of the Ground Disturbing Works and will set out impact management practices to be implemented when the Ground Disturbing Works are underway. **All Users and Visitors proposing Ground Disturbing Works should anticipate that, at a minimum, professional archaeological oversight at the time of conducting Ground Disturbing Works will be a required outcome of the AIA.**

Projects that exceed the Small-scale and/or Infrastructure Projects scope, such as new building construction, building demolition and/or projects over 2,000 linear meters in area are considered Major Projects and will require a standalone permit. This standalone permit will be acquired from the Archaeology Branch by the professional archaeologist identified within the *Kwkwetlem First Nation Heritage Policy* (Brown & Oakes Archaeology) on behalf of the User or Visitor. At time of writing, **standalone permits take a minimum of 3-months to acquire** from the Archaeology Branch. Users and/or Visitors proposing Ground Disturbing Works that require a standalone permit must meet with Brown & Oakes Archaeology as early as possible.

For proposed Ground Disturbing Works that conflict with existing archaeological sites additional requirements may be necessary.

Users and Visitors are wholly responsible for any consultant fees, application fees or other costs required to complete an AIA or additional HCA permit submissions.

Step 4: Additional Requirements

Users and Visitors requiring additional study to complete the appropriate permits are wholly responsible for all costs associated with the execution of the required work. Further, BC Housing makes no representations of certainty for any requirements. As such, Users and Visitors are wholly responsible for ensuring that all permit requirements under the HCA and KFNHP are met and are tasked with seeking out all supporting documentation required to achieve the appropriate approvals to meet their activity needs.

Users and Visitors are required to consult with KFN and the KFNHP archaeological consultants when applying for additional permits. The use of archaeological consultants not identified by the KFNHP is not permitted.

Copies of all studies, applications and permits that pertain to səmiqʷəʔelə as applied for by any User or Visitor must be provided to BC Housing and KFN.

Step 5: Starting Work

Once all required permits are in order, the proposed activity may commence subject to the completion of the KFN Heritage Certification Program and/or an on-site kick off meeting that is to include the attendance of KFN's archaeological consultant. Only the archaeological consultant identified by the KFNHP in tandem with BC Housing can waive the requirement for an on-site kick off meeting.

Users and Visitors understand that each occurrence of ground disturbing activities may require archaeological oversight including in areas previously disturbed and regardless of whether archaeological oversight was previously provided.

If there is exposure or conflict with archaeological material during the Ground Disturbing Works or as a result of an infraction under the səmiqʷəʔelə Archaeological Protocol, an investigation will be conducted by the Archaeological Branch. In the event of an infraction, the investigation by the Archaeological Branch does not preclude an investigation of the infraction by KFN or BC Housing. Infractions under the səmiqʷəʔelə Archaeological Protocol must be **immediately reported** using the Incident Report Form contained in Appendix D.

Documentation Control:

Revision	3
Date for Reference	November 12, 2020

AUTHORED BY:

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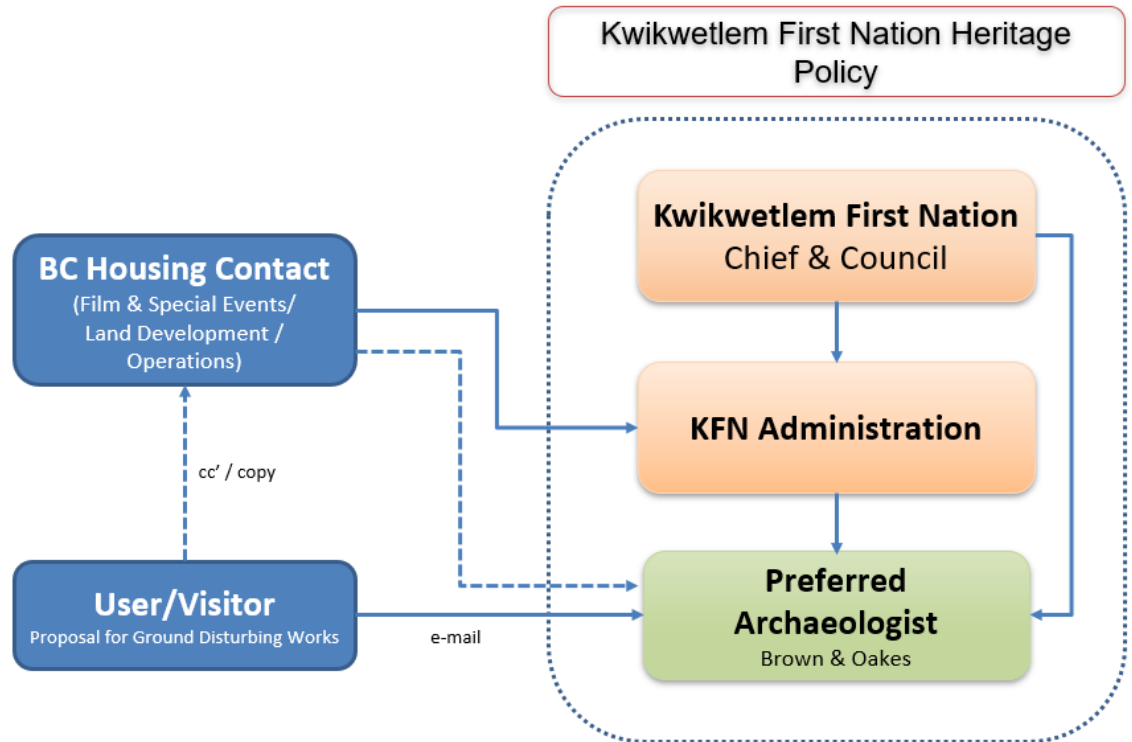
- Brown & Oakes Archaeology Archaeological Consultants
- Kwikwetlem First Nation

APPENDICES:

- Appendix A – Archaeological Protocol Application Process
- Appendix B – Archaeological Protocol Process Flow
- Appendix C - səmiqʷəʔelə Archaeological Protocol Checklist
- Appendix D - səmiqʷəʔelə Archaeological Protocol Incident Report Form

Appendix A

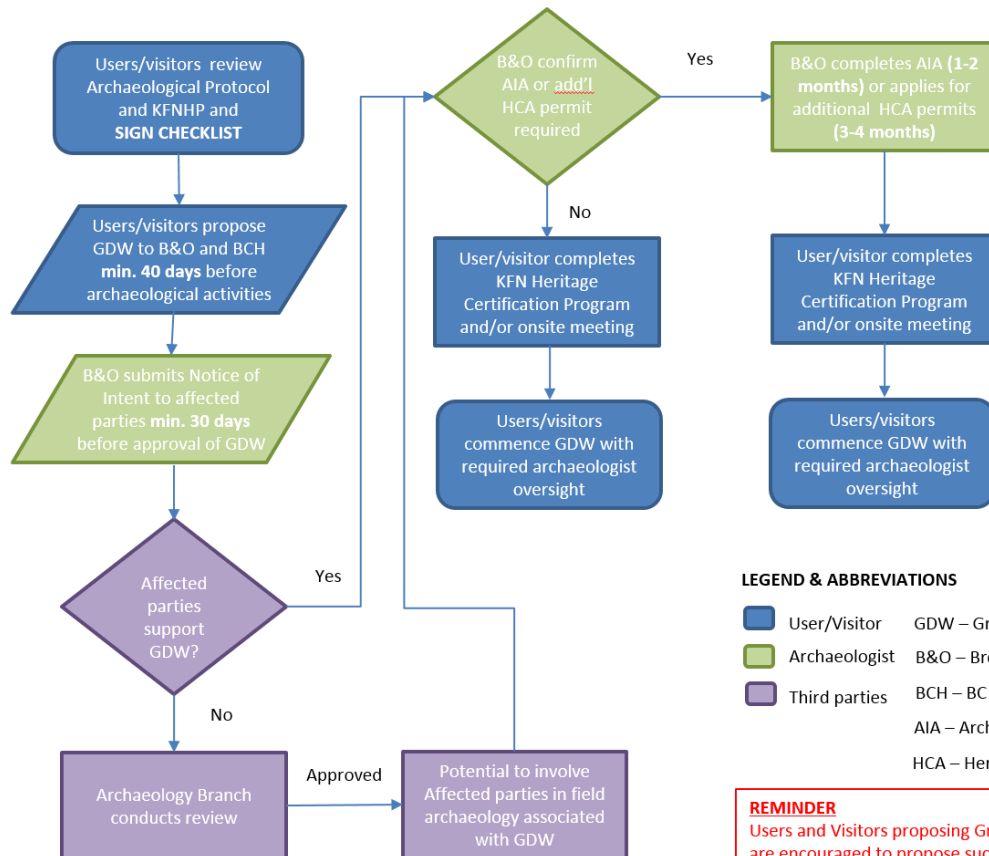
Archaeological Protocol Application Process



REMINDER
Users and Visitors proposing Ground Disturbing Works are encouraged to propose such works to B&O as early as possible.

Appendix B

Archaeological Protocol Process Flow



LEGEND & ABBREVIATIONS

- User/Visitor
- Archaeologist
- Third parties
- GDW – Ground Disturbing Works
- B&O – Brown & Oakes Archaeology
- BCH – BC Housing
- AIA – Archaeological Impact Assessment
- HCA – Heritage Conservation Act

REMINDER
 Users and Visitors proposing Ground Disturbing Works are encouraged to propose such works to B&O as early as possible.

Appendix C

səmiqʷəʔelə Archaeological Checklist

This checklist must be submitted at time of contract signing.

USER / VISITOR PROPOSING GROUND DISTURBING WORKS

Company / Applicant Name: _____

Address: _____
Street Address City Province Postal Code

Responsible Person: _____
First Last

Responsible Person Title: _____

Responsible Person Phone No.: (_____) _____ - _____

Responsible Person E-mail: _____

CHECKLIST

- I understand that səmiqʷəʔelə contains known archaeological sites that are protected under the Heritage Conservation Act.
- I understand that the səmiqʷəʔelə Archaeological Protocol sets out the requirements for engaging in Ground Disturbing Works on-site.
- I have contacted the KFNHP Archaeological Consultant (Brown & Oakes Archaeology) in writing via email on _____ / _____ / _____ (month / day / year) to propose the subject Ground Disturbing Works.
- I understand that further archaeological permitting and/or study may be required for my proposed Ground Disturbing Works depending on the nature, location and scale of Ground Disturbing Works proposed.
- I understand that, at a minimum, professional archaeological oversight at the time of conducting Ground Disturbing Works will be required.
- I understand that prior to commencing the Ground Disturbing Works I am to organize a kick-off meeting with the KFNHP archaeological consultant and ensure my crew takes the Heritage Certification Program.

COMMITMENT

I _____, as the Responsible Person proposing the subject Ground Disturbing Works understand that I am responsible for ensuring individuals conducting my proposed Ground Disturbing Works (including any subtrades, landscapers, excavators etc.) are to be made aware of the səmiqʷəʔelə Archaeological Protocol – and the requirements therein – and take the Heritage Certification Program.

Signature

Date

Appendix D

səmiq'wəʔelə Incident Report Form

Any infraction of the səmiq'wəʔelə Archaeological Protocol is to be **immediately reported** to BC Housing and the KFNHP archaeological consultant (Brown & Oakes Archaeology) using this Incident Report Form. Time is of the essence.

Date of Incident: _____ Incident Location: _____

Involved Individuals:

<u>Name</u>	<u>Company / Entity</u>	<u>Involvement</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Statement of Incident:

Ground Disturbing Works Responsible Person: _____

Person Completing Incident Report: _____

Date Incident Report Submitted: _____ / _____ / _____ (mth / day / year)